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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

J. Christian SWINDAL

Appl. No.: 10/713,212

Filed: November 17, 2003

For: **Optical Position Measuring System
and Method Using a Low
Coherence Light Source**

Confirmation No.: 2451

Art Unit: 2877

Examiner: Marissa Detschel

Atty. Docket: 1857.2020000

**Petition to Withdraw from Issue under 37 C.F.R. § 1.313(c)(2)
For Consideration of a Request for Continued Examination**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

It is hereby petitioned under 37 C.F.R. § 1.313(c)(2) that the above-captioned application be withdrawn from issue for consideration. A request for continued examination in compliance with 37 C.F.R. § 1.114 is being concurrently submitted under separate cover.

It is believed that no extensions of time are necessary, other than those that are otherwise provided for herewith. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the above-captioned application, then such extensions of time are hereby petitioned.

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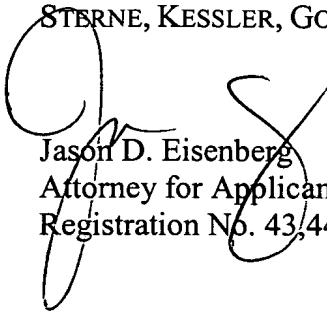
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130.00 DP

This petition is accompanied by the required fee (37 C.F.R. § 1.17(h)). The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Jason D. Eisenberg
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Date: _____

12/5/06

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